

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 4:11CR262 CEJ NAB
)
RICHARD McDANIELS,)
)
 Defendant.)

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Motion to Continue the Evidentiary Hearing [[Doc. #25](#)] filed on November 18, 2011. In support of the Motion Defendant stated that Counsel for the parties seek the additional time in order to negotiate a plea agreement and stipulation so as to work out a disposition of the pending indictment against Mr. McDaniels as well as the pending petition to revoke supervised release. Therefore, counsel needs additional time to consult with Defendant to review the government's evidence.

IT IS HEREBY ORDERED that Defendant's Motion to Continue the Evidentiary Hearing [[Doc. #25](#)] is **GRANTED**. The evidentiary hearing set for **November 21, 2011** shall be continued until **December 9, 2011 at 9:00 a.m.**

Speedy Trial Finding: For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare

pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 18th day of November, 2011.